

**HAMPTON BOARD OF SELECTMEN  
SELECTMEN'S MEETING ROOM  
January 12, 2004 7:00 PM**

**PRESENT:** Brian C. Warburton, Chairman, Virginia Bridle,  
William Sullivan, Cliff Pratt, James Workman  
James Barrington, Town Manager  
Karen Anderson, Administrative Assistant

**PUBLIC HEARINGS:**

1. The Board of Selectmen held a public hearing to take comments from the public on the following warrant articles:

1. Shall the Town of Hampton vote to raise and appropriate the sum of Three Million (\$3,000,000) Dollars for the acquisition of conservation easements and/or open space land to be permanently protected (including any buildings or structures incidental to such land) in the best interests of the Town, as the Selectmen deem appropriate, as to property identified on Tax Map 137. Lot 2 and 2A (a/k/a The Hurd Farm) consisting of +/- 160 acres and to authorize the issuance of not more than \$3,000,000 bonds or notes in accordance with the Municipal Finance Act (RSA Ch. 33) and to authorize the Selectmen to issue and negotiate such bonds or notes and to determine the rates of interest thereon, and to further authorize the Selectmen to act on behalf of the Town in connection with such acquisitions of conservation easements or other open space land, and to authorize the Selectmen to apply for and accept any funds from the State of New Hampshire, the Federal Government, and private sources, as they may become available. No bonds or notes shall be issued with a term maturity of less than fifteen years, and the authority conferred by the passage of this Article is non-lapsing until its purpose is accomplished, in accordance with RSA 32:7, III. (3/5 vote required)

Mrs. Bonnie Searle, Penniman Lane stated that this is a subject she is very passionate about and she congratulated the Board for acknowledging that preserving open space is very important. She thanked the Hurd family for giving the voters and citizen's of Hampton the opportunity to preserve a beautiful piece of land, adding that she feels this is a generous opportunity. Mrs. Searle said that building lots in the area of this property sell for \$140,000 to \$150,000 each and if each of the 160 acres represented one building lot, the value of the land would be over \$20 million dollars. Mrs. Searle said that if the land is not developed there will not be new houses with school children, resulting in additional school needs; and there will be no need to maintain more roads, which is used to justify expansion of manpower and equipment at public works. These house lots would have septic systems and the town should do all it can to protect the quality of the Taylor River. Mrs. Searle explained that home owners want pristine lawns and gardens and the pesticides that would be used would find their way to the river. The Conservation Commission and the Hurd Family have worked hard to bring this opportunity to the voters and if it passes Hampton will retain a dairy farm and will have open space to enjoy.

Ellen Goethel, Chairman of Conservation Commission outlined a few facts on this proposal. She noted that the correct number of acres to be shown in the warrant article is 145 and the Hurd Family is retaining the buildings on the property. Mrs. Goethel pointed out that there currently is no public access to the Taylor River and this purchase will guarantee that in perpetuity. Mrs. Goethel explained that the property is currently under Current Use, resulting in a tax reduction for the owners and it will stay that way with the Town receiving the same tax revenue. The property was appraised, based on the development rights, by an outside firm at over \$7 million dollars. Mrs. Goethel said that the Conservation Commission has estimated that the average assessment of a property in Hampton is \$288,000 and based on the current tax rate, the annual cost to each household for this article is estimated to be \$36.00 per year. The Hurd Family will retain the right to sell the property in the future, but the easement would apply and would insure that the land could not be developed. The Hurd Family has invited residents to view the property on January 24<sup>th</sup> with a snow date January 25<sup>th</sup> and anyone interested can call the Conservation Commission for more information.

Mr. Bill Bowley, Towle Farm Road said that there is a lot of history with that farm and he hopes that people take the time to look at the property. He urged the support of this article.

Mr. Peter Tilton, said that this article is very important to him and many others in town. It is good to maintain a working farm. He added that young people today don't know where things come from and how they work. Mr. Tilton said that there are so many good reasons to support this purchase, including habitat maintenance, water quality and recreational opportunities.

There were no further public comments and the hearing was closed.

Mr. Pratt said that he continues to be in favor of this article and added that there is a good possibility that the town will be getting some of the purchase cost back through grants. Mr. Pratt told the Board that he grew up on a farm and that farm no longer exists because his family could not afford to keep it. Mrs. Bridle said that it is important to preserve Hampton's history and this is a good opportunity for the voters and residents. Mr. Sullivan said that he has not heard any negative feedback on this article and he hopes people will support this article. Mr. Workman said that this is a perfect article and it should be passed. He added that arguments in the past for similar articles were that they were not tied to a specific parcel of land; this article is specific and makes perfect sense. Mr. Warburton said that Mrs. Searle brought up an excellent point saying that the Hurd's are being very generous. Mr. Warburton noted that it was a unanimous decision of the Board to put this article forward.

#### Public Hearing #2

To see if the Town will adopt the provisions of Chapter 162-K of the N.H. Revised Statutes Annotated, which, if adopted, will grant the Town authority to establish tax increment financing districts.

Mr. Warburton noted that Mr. Fred Rice and the Director of Seacoast Business Alliance, Mr. Dan Gray made an excellent presentation on this for the Board last week and were present to answer any questions.

Mr. Richard Reniere, 29 Highland Avenue said that he listened to the presentation last week and has a few questions. Mr. Reniere asked if it is determined that an improvement is going to be made to an area, and a TIF District is established, do the property owners within that district have their assessments raised in order to pay off the bond for that project. Mr. Barrington explained that the value of the properties are not automatically raised by the creation of the TIF. The improvements made could result in an increase to property assessments, but not necessarily to all properties. Mr. Barrington gave the example of the building of a parking garage which made it possible for hotels in that area to expand; the tax revenue from the increased property assessment for that expansion would be earmarked for the payment of the bond for the parking garage. Mr. Reniere asked if the installation of streetlights along a road would constitute an improvement to all properties within an area. Mr. Barrington said that the Assessor would determine that, and any increase in the assessment would be used to pay off that expense. Mr. Barrington said that the purpose of the district is to see that the properties that directly or indirectly benefit from an improvement pay for that improvement. If an improvement is made with a tax bond, then the entire credit of the community is pledged to paying that bond. Mr. Reniere said that he is concerned that this puts the burden of an improvement on a smaller group of people.

Mr. Fred Rice gave the example of the Highland Avenue project. He said that a TIF district would allow people from the entire town to approve the bond with the understanding that the financing would come from the increased valuation of the properties in that area. The improvements the Town made to that road have resulted in many homeowners making improvements to their own properties and if TIF district had been established the revenue from the increased assessments as a result of those improvements would be used to pay for the infrastructure upgrades.

Mr. Peter Tilton said that if this is authorized it could work in favor of people in an area that may want to

get something done. Mr. Barrington said that it could be used to offset the impact of sewers and other infrastructure needed for a new development. A TIF District could be established so that the revenues from the new homes would be used to pay off the infrastructure costs incurred by the Town.

Mr. Pratt said that he is in favor of giving the town another financing option. Mrs. Bridle said that she is not really for this because she is afraid that the residents of the west side of town may have to pay more than other areas have had to for sewer service to be extended. Mr. Sullivan said that he initially voted against this but understands now that this article will only provide another financing option. Mr. Workman said that it is worth noting that whether a TIF District is established or not, if a sewer line goes in front of a house the property assessment increases and the taxes for the property increase as a result. The TIF District gives the town the opportunity to earmark the increased tax revenue to pay for the specific improvement.

**Mr. Workman MOTIONED** that the Board of Selectmen put forward the article to authorize the establishment of Tax Increment Financing Districts on the 2004 Warrant.

**Mr. Sullivan SECONDED**

**VOTE: UNANIMOUS FOR**

## **I. SALUTE TO THE FLAG**

Mr. Reniere led the audience in the salute to the flag.

## **II. ANNOUNCEMENTS**

Mrs. Bridle announced that the Seacoast Civic Dance Company will be performing on February 27<sup>th</sup> at WHS as a fund-raiser for the Holy Name Society. Tickets are available through the Holy Name Society or Seacoast Civic Dance Company.

The Primary Election will be held on January 27, 2004 at the Marston School with the polls open from 7:00AM to 8:00 PM.

The Deliberative Session of Town Meeting will be January 31, 2004 at WHS beginning at 8:30 AM.

Mr. Warburton announced that Hampton resident Peter Argue has been nominated to the US Naval Academy.

The Special Olympics will be hosting the annual Penguin Plunge on February 8, 2004. Mr. Warburton noted that many people in the community are involved with this outstanding fund-raising event.

The filing period for residents interested in running for public office begins on January 21<sup>st</sup> and ends on January 30.

Mrs. Bridle complimented Tracy Dewhurst for her editorial on the other side of Hampton. She added that there are a lot of nice things happening in Hampton and it was wonderful to see the other side reported. Mr. Warburton said that it was one of the best articles he has ever read.

## **V. OLD BUSINESS**

### Town Manager's Report

#### Water Moratorium

Mr. Barrington reported that the Town received a notice from Brian Goetz at Aquarian Water this week that the moratorium has been lifted on new connections. He has suggested that he would like to meet with the Selectmen and with the Planning Board in the near future to discuss the improvements made by Aquarian and the implications and opportunities for development that removal of the moratorium brings. Aquarian Water Works was congratulated on this accomplishment.

Mr. Warburton noted that the Board of Selectmen have a meeting scheduled for February 2<sup>nd</sup>, which is the same date as the School District Annual Meeting. He noted that Selectman Pratt is the School Moderator and in order for other Board members to attend the School District meeting he asked that the Board discuss whether or not to hold a Selectmen's meeting that night.

#### Hampton Beach Master Plan

The first of the four visioning workshops relating to the implementation of the Hampton Beach Master Plan will be at the Ashworth Hotel on Wednesday, January 14 at 6:00 p.m.

#### Capital Improvement Fund – Road Improvements

Mr. Barrington told the Board that with the annual trouble spot in receiving our appropriated funds from the Road Capital Improvement Fund, he has included suggestions for revisions in the article proposed for 2004. Mr. Barrington said that he had a conversation last week with Mr. Lessard regarding the payment and he has assured him that the Town will have last year's transfer soon.

#### Snow Removal – Ocean Boulevard Sidewalk

Administrative Assistant Karen Anderson and Public Works Director John Hangen have been scouring the records to find what agreements the Town may have with the State regarding the removal of snow from the sidewalk along the seawall north of Boar's Head. The short version of the story is that there appears to be authority for the Town Manager to sign an agreement with the state (granted November 22, 1993) and an agreement signed by the State, but not by the Town Manager. Mr. Barrington reported that a petitioned warrant article has been received regarding this matter.

#### Recreation Bus Lettering

Recreation & Parks Director Dyana Martin reports that they are nearing completion of the price shopping for the lettering on the new mini-bus and expect that to be ready for award next week. Mr. Sullivan noted today that Public Works may have the ability to make the signs for that vehicle and Mr. Barrington will review that with Mrs. Martin.

#### Police Facility

Mr. Barrington reported that progress on the new police station continues. The steel work continues to outline the eventual structural shape of the building. The contractor expects (weather permitting) to make the final concrete pour on the ramp area next week. With the structural framework coming into place they will be able to begin the upper floor system and begin interior flooring and masonry work. Mr. Barrington told the Board that he has received notice that Hugh Schweitzer, the Project Manager for Kaestle Boos, will be leaving Kaestle Boos for a new job very shortly. Jeff McElravy, the Senior Vice President who has been with our project since the inception, will be taking over Hugh's duties to insure continuity.

#### Wastewater Treatment Plant – Administrative Order

During a conversation with Roger Bedard this week, the Town Manager was told that he has received verbal notification from Joy Hilton, of EPA, that the third copper violation will not be counted against the Town on our Administrative Order. This waiver is being granted because that violation was a result of the construction workers causing an upset at the plant. The waiver is significant in that it stops the one-year clock that would require a full Copper Optimization Report. While copper levels in our effluent remain an issue, the requirement for the Copper Optimization Report puts a specific timetable on expensive solutions to reducing the copper levels. The plant has been working well under the revised copper limits.

#### Keymont - Blowers

Mr. Barrington reported that the Town has filed suit with Keymont Construction in the matter of the blowers and a mediation session has been scheduled for next week.

#### Street Light Request – Homestead Circle

The Highway Safety Committee and the Police Chief have recommended that a streetlight be added to Homestead Circle.

**Mr. Sullivan MOTIONED** that the Board of Selectmen authorize the addition of a streetlight on Homestead Circle.

**Mrs. Bridle SECONDED**

**VOTE: UNANIMOUS FOR**

Special Revenue Fund Articles

Mr. Sullivan said that there are eight articles on the warrant that use the words appropriate only and while there are sums of money attached, he wanted to emphasize that these articles do not affect the tax rate. He explained that these are special revenue fund articles and the money is already available or coming from other sources.

Waiver of Interest – Late Tax Payment

The Board reviewed the request for interest to be waived on a late tax payment. The tax bill was sent to an incomplete address and returned to the Town.

**Mr. Sullivan MOTIONED** that the Board of Selectmen waive the \$196.36 interest charge for the property located at 65 Woodstock Street.

**Mrs. Bridle SECONDED**

**VOTE: 3 FOR**

**2 OPPOSED (Bridle, Workman)**

Petitioned Warrant Articles

Mr. Barrington told the Board that four additional petitioned warrant articles have been received, with only one being a money article.

On petition of at least 25 voters of the Town of Hampton, shall the Town vote to raise and appropriate \$80,000 for engineering and related professional services to design and prepare design documents and cost estimates for the connection and extension of sewer along Towle Farm Road and providing sewer service to the structures on Towle Farm Road and on streets and roads that intersect with Towle Farm Road in conformance with the 201 Facilities Plan.

**Mrs. Bridle MOTIONED** that the Board of Selectmen recommend the petitioned article for \$80,000 for the sewerage of Towle Farm Road.

**Mr. Sullivan SECONDED**

**VOTE: UNANIMOUS FOR**

Default budget

Mr. Barrington presented the Default Budget amount of \$22,242,069.00 and explained that it includes the contractual salary amounts for the six collective bargaining units, the sick bank buy back, adjustments for increased insurance and retirement costs and debt service.

Mr. Barrington explained that he will be making a recommendation that the 2004 budget be decreased to reflect a reduction in the debt service for the wastewater treatment plant and if that is approved, the default budget should be reduced by the same amount to \$21,677,472.00.

**Mr. Sullivan MOTIONED** that the default budget be set at \$22,242,069.00 with the understanding that if the operating budget is reduced by \$564,597.00 at the public hearing then the default budget would be \$21,677,472.00.

**Mr. Workman SECONDED**

**VOTE: UNANIMOUS FOR**

Mr. Barrington told the Board that a Board of Selectmen meeting has been posted for 6:00 PM on January 13<sup>th</sup>. He will notify the Board at 5:00 PM if any additional money articles come in and the meeting is required.

Civil Rights Day

The Board agreed not to meet on January 19<sup>th</sup>, Civil Rights Day unless necessary.

## V. NEW BUSINESS

### Leased Land Deed Restrictions

Mr. Sullivan said that he would like to request that the Board insert a warrant article to try and eliminate the need for residents with properties on former leased land to go before Town Meeting each time they need to have a deed restriction waived. He added that this is something that the Board has discussed in the past and would be a good housekeeping article. The article would allow residents to come before the Board of Selectmen for relief, rather than requiring them to go to the annual town meeting.

**Mr. Sullivan MOTIONED** that the Board of Selectmen insert the following article on the 2004 warrant: "Shall the Town of Hampton authorize the Board of Selectmen to waive deed restrictions in deeds of land formerly leased by the Town and/or in current leases from the Town, utilizing RSA 41:14-1.

**Mrs. Bridle SECONDED**

**VOTE: UNANIMOUS FOR**

## VI. MINUTES

The minutes of January 5, 2004 were accepted as written.

## VII. CONSENT AGENDA

1. Nursing Home Referral

**Mr. Workman MOTIONED** that the Board of Selectmen approve the consent agenda.

**Mr. Sullivan SECONDED**

**VOTE: UNANIMOUS FOR**

Mrs. Bridle requested an accounting on the Christmas Parade. She explained that while the Chamber did return \$1,116.00 she feels that since they also had a successful fund-raiser for the parade, the expenses incurred should be shared equally.

## VIII. ADJOURNMENT

**Mr. Sullivan MOTIONED** that the meeting be adjourned. (8:20 PM)

**Mr. Workman SECONDED**

**VOTE: UNANIMOUS FOR**

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Chairman

